



Journal of the House

State of Indiana

122nd General Assembly

First Regular Session

Twenty-Fifth Day

Monday Afternoon

March 15, 2021

The invocation was offered by Chaplain Pam Russell of the Public Servant's Prayer.

The House convened at 1:30 p.m. with Speaker Todd M. Huston in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Olthoff.

The Speaker ordered the roll of the House to be called:

Abbott	Karickhoff
Andrade	King
Austin	Klinker
Aylesworth	Lauer
Baird	Ledbetter
Barrett	Lehe
Bartels	Lehman
Bartlett	Leonard
Bauer	Lindauer
Behning	Lucas
Borders	Lyness
Boy	Manning
Brown, T.	May
Campbell	Mayfield
Carbaugh	McNamara
Cherry	Miller
Clere	Moed
Cook	Morris
Davis	Morrison <input type="checkbox"/>
Davisson	Moseley <input type="checkbox"/>
DeVon	Negele
DeLaney	Nisly
Dvorak	Olthoff
Eberhart	Pack
Ellington	Payne
Engleman	Pfaff
Errington	Pierce
Fleming	Porter
Frye	Prescott
GiaQuinta	Pressel
Goodrich	Pryor
Gore	Rowray
Gutwein	Saunders
Hamilton	Schaibley
Harris	Shackleford
Hatcher	Slager
Hatfield	Smaltz
Heaton	Smith, V.
Heine	Snow
Hostettler	Soliday
Jackson	Speedy
Jacob	Steuerwald
Jeter	Sullivan
Johnson	Summers
Jordan	Teshka
Judy	Thompson

Torr
VanNatter
Vermilion
Wesco

J. Young
Zent
Ziemke
Mr. Speaker

Roll Call 254: 98 present; 2 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, March 16, 2021, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 13

The Speaker handed down Senate Concurrent Resolution 13, sponsored by Representative Ellington:

A CONCURRENT RESOLUTION congratulating Julie Evans on receiving the 2020 Indiana Rural Teacher of the Year Award.

Whereas, Julie Evans is a high school mathematics teacher for the eighth to twelfth grades for Bloomfield Junior Senior High School, where she teaches Algebra I, Finite Math, and Calculus A & B;

Whereas, Julie has worked tirelessly to develop a love of learning in her students and to prepare them for college by teaching Advanced Placement level math courses;

Whereas, Julie is a natural leader in the classroom and is deeply involved in the professional development of Bloomfield High School staff, by leading seminars on how to make math more relatable to students and by introducing technologies to enhance classroom learning;

Whereas, Each year, the Indiana Small and Rural Schools Association awards a teacher the Indiana Rural Teacher of the Year Award in recognition of a teacher's exemplary dedication to the education of students in rural schools; and

Whereas, Julie was awarded the coveted 2020 Indiana Rural Teacher of the Year Award as a result of her outstanding commitment to both her students and the teaching profession: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates Julie Evans on receiving the Indiana Rural Teacher of the Year Award.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to Julie Evans and her family

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

House Resolution 18

Representative Klinker introduced House Resolution 18:

A HOUSE RESOLUTION honoring Deputy Chief Keene L. Red Elk upon his retirement.

Whereas, Deputy Chief Keene L. Red Elk has retired from law enforcement after more than 33 years of service;

Whereas, During his law enforcement tenure, Keene served with the Camden Town Marshall's Office, Delphi City Police, West Lafayette City Police, and the Tippecanoe County Sheriff's Department before coming to the Purdue University Police Department, where he has served for the last 25 years;

Whereas, While at the Purdue University Police Department, Keene has held the rank of Police Officer, Detective Sergeant, Lieutenant, Captain, and finally his current role as Deputy Chief of Police;

Whereas, The Purdue University Police Department, and those he has served throughout his career, have benefited from his compassion, knowledge, and leadership;

Whereas, Keene earned an Associate's Degree in Business Administration from Vincennes University, a Bachelor's Degree in Business Management from Western Governors University, and a Master's Degree in Technology, Leadership, and Innovation from Purdue University;

Whereas, Keene also completed Purdue's two-year Council for Manager Development program and earned a Six Sigma Green Belt Certification; and

Whereas, Keene and his wife Melanie reside in West Lafayette with their two youngest sons: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives honors Deputy Chief Keene L. Red Elk upon his retirement.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Sheila Klinker for distribution.

The resolution was read a first time and adopted by voice vote.

House Resolution 19

Representative Hamilton introduced House Resolution 19:

A HOUSE RESOLUTION honoring the many accomplishments of Josephine Malone on her 100th birthday.

Whereas, On March 14, 2021, Josephine Malone will be celebrating her 100th birthday;

Whereas, Josephine Malone was born in Peoria, Illinois, to Lahood and Ida Peters;

Whereas, Josephine Malone is the mother of a daughter, four grandchildren, and five great grandchildren;

Whereas, During World War II, Josephine Malone worked in California as an inspector at an optical company that made lenses for the Navy;

Whereas, Josephine Malone was the hardworking owner of the southside tavern, the Melrose Club;

Whereas, Josephine Malone was a member of St. Patrick's and St. Mark's Church in Peoria, Illinois;

Whereas, Josephine Malone was the beautiful, welcoming hostess at Jumer's Restaurant for more than 20 years;

Whereas, Josephine Malone is a long-standing member and served as vice president of the Itoo Society;

Whereas, Josephine Malone loves to dance, drink vodka tonics, eat ice cream, and wear blue;

Whereas, Josephine Malone is waiting to strike it rich on the penny slots during her trips to the casino; and

Whereas, Josephine Malone is always ready for her next adventure: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives honors Josephine Malone on her 100th birthday.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Carey Hamilton for distribution.

The resolution was read a first time and adopted by voice vote.

House Resolution 20

Representative Payne introduced House Resolution 20:

A HOUSE RESOLUTION remembering 1950 Madison High School basketball champions Mr. Donald L. McCauley and Mr. Spencer J. Schnaitter.

Whereas, Indiana basketball is a much-loved institution rooted in the hearts and minds of Hoosiers, young and old;

Whereas, Residents in Madison, Indiana, and the greater community of basketball fans, remember the lives of Mr. Donald L. McCauley and Mr. Spencer J. Schnaitter, and celebrate their 1950 IHSAA state basketball final championship win;

Whereas, Mr. McCauley and Mr. Schnaitter passed away in January 2021 at the ages of 87 and 88, respectively;

Whereas, McCauley, guard, and Schnaitter, center, started for the historic Madison High School Cubs basketball team coached by Ray Eddy;

Whereas, The Madison Cubs played the Marion Giants at Butler Fieldhouse in Indianapolis to more than 15,000 basketball fans from across the Hoosier state;

Whereas, The Cubs' 1950 state tourney was hotly contested and culminated in a 50-49 Madison victory in the final seconds of the game;

Whereas, The Cubs won the championship as notable underdogs that played their season with balanced teamwork, determination, and athleticism;

Whereas, Mr. McCauley and Mr. Schnaitter enjoyed long and successful careers upon graduating from Madison High School;

Whereas, Mr. McCauley went on to marry Caroline M. Lynch, his wife of 63 years, and the two had two daughters and two sons;

Whereas, Mr. McCauley served in the United States Army and became a successful businessman serving his community in many roles, including: president, Mite Federal Saving and Loan Association; president, Home Federal; president, First Federal Saving and Loan Association in Peru, Indiana; president, Peru Chamber of Commerce; president, Peru-Miami County Economic Development Corporation; and board member, United Way;

Whereas, Mr. Schnaitter went on to Yale University, where he graduated as an accomplished athlete in basketball, including MVP as a junior and team captain as a senior;

Whereas, Mr. Schnaitter married Laura Ann Mill in 1954, and the two had three sons and two daughters;

Whereas, Mr. Schnaitter served in the United States Army before he returned to Indiana and graduated from the Indiana University Law School (Bloomington) in 1959;

Whereas, Mr. Schnaitter and his family moved to Madison, where he practiced law for more than 60 years, and was active in his community, serving as a five-term state representative, Indiana General Assembly; city attorney, Madison; and county attorney, Jefferson County;

Whereas, Mr. McCauley and Mr. Schnaitter shared a deep love of basketball and athletics; and

Whereas, Mr. McCauley and Mr. Schnaitter are celebrated Hoosiers who will be remembered fondly by friends, family, and colleagues for their many contributions in their communities: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives celebrates and remembers the life of Mr. Donald L. McCauley for his contributions in his community and the state of Indiana.

SECTION 2. That the Indiana House of Representatives celebrates and remembers the life of Mr. Spencer J. Schnaitter for his contributions in his community and the state of Indiana.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Zach Payne for distribution.

The resolution was read a first time and adopted by voice vote.

House Concurrent Resolution 26

Representative Pack introduced House Concurrent Resolution 26:

A CONCURRENT RESOLUTION honoring Rebecca Daugherty-Saunders.

Whereas, The Indiana Association of School Principals recognized Rebecca Daugherty-Saunders, Principal of Ben Davis University High School in Indianapolis as the 2020 Indiana High School Principal of the Year for District 7;

Whereas, Principal Daugherty-Saunders received her bachelor of science degree in secondary education from Ball State University in 1998, beginning her teaching career at Frederick Douglas Middle School in the same year;

Whereas, Principal Daugherty-Saunders moved to New Augusta Public Academy North in 2000 and went on to teach science at Hamilton Southeastern High School from 2002 to 2006;

Whereas, Principal Daugherty-Saunders earned her master of arts in educational administration and supervision at Ball State University in 2005, and she joined the administrative team at Ben Davis Ninth Grade Center as assistant principal in 2006, where she later became principal;

Whereas, Principal Daugherty-Saunders became principal at Ben Davis University High School (BDU) in 2013, with 15 years in education, including 7 years in administration;

Whereas, Principal Daugherty-Saunders earned her education specialist degree from Indiana State University in 2017, and she currently pursues her doctorate in educational supervision and high educational leadership at ISU;

Whereas, Principal Daugherty-Saunders overhauled scheduling, initiated a peer tutoring program, developed opportunities for students to gain authentic learning opportunities, and transitioned from primarily online courses to courses taught by credentialed instructors at BDU;

Whereas, Students at BDU are given the opportunity to graduate with an associate's degree through Vincennes University. Associate degree graduation rates have increased from 35 percent to 99 percent with the support and leadership of Principal Daugherty-Saunders; and

Whereas, Principal Daugherty-Saunders works tirelessly in leading BDU and providing high quality education to all students: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana House of Representatives recognizes and honors Rebecca Daugherty-Saunders as the 2020 High School Principal of the Year for District 7.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of the resolution to the office of State Representative Renee Pack for distribution.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator J.D. Ford.

House Concurrent Resolution 27

Representative Porter introduced House Concurrent Resolution 27:

A CONCURRENT RESOLUTION honoring the life and legacy of Tom Jernstedt.

Whereas, Mr. Thomas Walter Jernstedt, a legend and champion for men and women student athletes, passed away September 5, 2020;

Whereas, Mr. Jernstedt, who spent 38 years working for the National Collegiate Athletic Association (NCAA) as a leader and passionate administrator, is often referred to as the "Father of the Final Four";

Whereas, Mr. Jernstedt was born in McMinnville, Oregon, on November 24, 1944, to Don and Catherine Jernstedt;

Whereas, Mr. Jernstedt grew up in the small town of Carlton, Oregon, where he was an all-state athlete in football, basketball, and baseball at Yamhill-Carlton High School and also served as the student body president;

Whereas, Mr. Jernstedt attended the University of Oregon, becoming the student body president, again, before graduating in 1967 with a bachelor's degree in political science and a master's in education in 1973;

Whereas, Mr. Jernstedt worked in the University of Oregon Athletics Department as an events manager before taking a position with the NCAA as director of events in 1972;

Whereas, Mr. Jernstedt held multiple governance positions with USA Basketball starting in 1975, culminating as its president from 2001 to 2004;

Whereas, Mr. Jernstedt was influential in moving the NCAA headquarters from Kansas City, Missouri, to Indianapolis in 1999, bringing additional prestige and events to the city;

Whereas, Mr. Jernstedt's many accomplishments included: induction into the Naismith Basketball Hall of Fame, 2017; the John Bunn Award for outstanding lifetime dedication to basketball, 2001; the University of Oregon's Distinguished Alumni Award, 2001; the United States Sports Academy's

Distinguished Service Award; the Indianapolis Convention and Visitors Association's Bill McGowan Leadership Award; and USA Basketball's Edward S. Steitz Award, 2009;

Whereas, The National Collegiate Basketball Hall of Fame enshrined Mr. Jernstedt as a contributor to the game in 2010, and he was inducted posthumously into the Oregon Sports Hall of Fame in 2020;

Whereas, Mr. Jernstedt received Indiana's highest civilian honor, the Sagamore of the Wabash, in 2017;

Whereas, Mr. Jernstedt was known by friends, family, and colleagues as a thoughtful, respectable, likeable, honest, and silent power who "carried a big stick, but never used it";

Whereas, Mr. Jernstedt was a loving husband, father, grandfather, brother, uncle, cousin, and friend who made time for everyone;

Whereas, Mr. Jernstedt is survived by his wife, Kristine; son, Cole; son, Derek; daughter, Jaci; brother, Rich; sister, Missy; sister, Susie; grandchildren, Jake and Avery; and in-laws; and

Whereas, Mr. Jernstedt lived his life, loved his sport, served his community, and made a difference in the lives of countless athletes: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly honors the life and legacy of Mr. Thomas Walter Jernstedt for his many years of service with the National Collegiate Athletics Association.

SECTION 2. That the Indiana General Assembly remembers Mr. Thomas Walter Jernstedt for his many contributions to supporting and promoting collegiate sports across Indiana and the United States of America.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Gregory Porter for distribution.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Taylor.

ENGROSSED SENATE BILLS ON SECOND READING

Pursuant to House Rule 143.1, the following bills which had no amendments filed, were read a second time by title and ordered engrossed: Engrossed Senate Bills 6, 7, 63, 122, 167, 242 and 385.

Engrossed Senate Bill 10

Representative Ziemke called down Engrossed Senate Bill 10 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 10-1)

Mr. Speaker: I move that Engrossed Senate Bill 10 be amended to read as follows:

Page 7, line 37, delete "IC 16-50-1-12 IS REPEALED [EFFECTIVE JULY 1," and insert "IC 16-50-1-12, AS ADDED BY P.L.48-2018, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 12. This article expires June 30, ~~2023~~; 2025."

Page 7, delete line 38.

(Reference is to ESB 10 as printed March 11, 2021.)

ZIEMKE

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 101

Representative Behning called down Engrossed Senate Bill 101 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 183

Representative Leonard called down Engrossed Senate Bill 183 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 183-1)

Mr. Speaker: I move that Engrossed Senate Bill 183 be amended to read as follows:

Page 1, line 4, strike "two (2)" and insert "**four (4)**".

Page 2, between lines 13 and 14, begin a new line block indented and insert:

"(3) One (1) member of the house of representatives appointed by the minority leader of the house of representatives.

(4) One (1) member of the senate appointed by the minority leader of the senate."

(Reference is to ESB 183 as printed March 11, 2021.)

CAMPBELL

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 195

Representative Barrett called down Engrossed Senate Bill 195 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 195-1)

Mr. Speaker: I move that Engrossed Senate Bill 195 be amended to read as follows:

Page 3, line 37, after "(5)" insert "**business**".

Page 5, line 3, after "(5)" insert "**business**".

(Reference is to ESB 195 as printed March 11, 2021.)

BARRETT

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 400

Representative Pressel called down Engrossed Senate Bill 400 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 400-1)

Mr. Speaker: I move that Engrossed Senate Bill 400 be amended to read as follows:

Page 3, line 17, after "transfers." insert "**The qualified vendor may not charge a fee under this subdivision to a state agency or its agents for lien notification, lien release, lien assignment, or lien transfer.**".

Page 5, line 26, after "pricing." insert "**A fee under this subdivision may not be charged to a state agency or its agents for lien notification, lien release, lien assignment, or lien transfer.**".

Page 7, line 29, after "subdivision." insert "**A fee under this subdivision may not be charged to a state agency or its agents.**".

(Reference is to ESB 400 as printed March 11, 2021.)

PRESSEL

Motion prevailed. The bill was ordered engrossed.

Representative Lucas, who had been present, is now excused.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 53

Representative Lehe called down Engrossed Senate Bill 53 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 255: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 77

Representative Frye called down Engrossed Senate Bill 77 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 256: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 81

Representative Olthoff called down Engrossed Senate Bill 81 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 257: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Cherry, who had been present, is now excused.

Engrossed Senate Bill 185

Representative Davisson called down Engrossed Senate Bill 185 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 258: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 227

Representative Lehe called down Engrossed Senate Bill 227 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 259: yeas 91, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 370

Representative Carbaugh called down Engrossed Senate Bill 370 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 260: yeas 94, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

ENROLLED ACTS SIGNED

The Speaker announced that he had signed House Enrolled Acts 1039 and 1576 on March 11.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as cosponsor of Engrossed Senate Bill 77.

FRYE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Steuerwald be removed as 1ST Sponsor of Senate Bill 78 and Representative Karickhoff be substituted therefor, Representative Karickhoff be removed as cosponsor and Representative Steuerwald be added as cosponsor.

STEUERWALD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Schaibley and Engleman be added as cosponsors of Engrossed Senate Bill 81.

OLTHOFF

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Mayfield be added as cosponsor of Engrossed Senate Bill 91.

FRYE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Goodrich, V. Smith and Klinker be added as cosponsors of Engrossed Senate Bill 101.

BEHNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Pryor be added as cosponsor of Engrossed Senate Bill 195.

BARRETT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as cosponsor of Engrossed Senate Bill 227.

LEHE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Ellington be added as cosponsor of Engrossed Senate Bill 370.

CARBAUGH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Johnson be added as cosponsor of Engrossed Senate Bill 400.

PRESSEL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Young and Miller be added as coauthors of House Concurrent Resolution 18.

PRESCOTT

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed, without amendments, Engrossed House Bills 1060 and 1314 and the same are herewith returned to the House.

JENNIFER L. MERTZ

Principal Secretary of the Senate

On the motion of Representative Carbaugh, the House adjourned at 2:07 p.m., this fifteenth day of March, 2021, until Tuesday, March 16, 2021, at 1:30 p.m.

TODD M. HUSTON

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives